IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 465 OF 2005

Sabur Gaibisab Pitapure ...Petitioner
Vs.
The Secretary, Rural Development &
Water Conservation Dept. & Anr. ...Respondents

Mr.S.G.Kudle for Petitioner
Mr. R.M. Patne, A.G.P. for Respondents

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 9TH AUGUST, 2005

P.C.

1. Heard Mr. Kudle in support of this Petition. The Petitioner had filed one Petition earlier bearing Petition No.2850 of 2004 seeking compassionate appointment and the High Court directed the Government to take appropriate decision after considering all aspects. The impugned order is passed by the concerned Under Secretary on 2nd August, 2004. The order clearly states that on account of the illness of Petitioner's father who was watchman in Solapur Zilla Parishad, he was retired after completing 55 years of age by issuing notice of compulsory retirement. He was accordingly paid all the retirement benefits and pension. The submission is made by the Petitioner that the Petitioner's father was retired on account of his illness and therefore, he should be given an employment on compassionate basis. The Under

Secretary has considered the submission and considering the fact that appropriate pension has been given to Petitioner's father, he has declined the request. Compassionate appointment is to tide over immediate difficulties faced by the family in the event a person dies in service or lands into such difficulties for which the family is not expected to suffer. Petitioner is now 37 years of age and must be doing something else in life. This is not a matter where we can give any such direction interfering in the Government decision. Hence, Petition dismissed.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)